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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852,217	05/08/2001	Mohammad Abdallah	42390P5193C	3800

7590 08/22/2003

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[REDACTED] EXAMINER

COLEMAN, ERIC

ART UNIT	PAPER NUMBER
2183	[REDACTED]

DATE MAILED: 08/22/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/852,217	ABDALLAH ET AL.	
	Examiner	Art Unit	
	Eric Coleman	2183	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 13 June 2003.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 10-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 20-29 and 33-37 is/are allowed.
- 6) Claim(s) 10 and 30 is/are rejected.
- 7) Claim(s) 11-19,31 and 32 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 10,30 are rejected under 35 U.S.C. 102(e) as being anticipated by Fischer (patent No. 6,470,370)

4. Fischer taught the invention as claimed including a data processing ("DP") system comprising:

- a) Memory to store a first packed data operand and second packed data operand (e.g., see col. 8 lines 43-65);
- b) Partial width packed data instructions (150,155,160,165,170,175,180,185) to indicate a first packed data operand and a second packed data operand and a first operation to be performed on the subset of the corresponding pairs of data elements of

the first and second data operands (e.g., see fig.1, 2A, 4, 5, and col. 7, lines 8-65, and col. 11, lines 19-col. 12, line 24).

- c) Decoder (140) coupled to partial with packed data instruction and to decode the partial-width packed data instruction (e.g., see col. 7, lines 8-55);
- d) Partial width execution unit (142) coupled with the decoder to execute the operation on the subset of the corresponding pairs of data elements (e.g., see fig.1 and col. 7, line 8-col. 8, line 57).

5. The rejections are respectfully maintained as set forth in the last office action (and repeated above).

6. Applicant's arguments filed 6/13/03 have been fully considered but they are not persuasive.

7. In the remarks the applicant argued in substance that Fischer did not teach (1) partial-width packed data instruction, and (2) a partial width execution unit coupled to the decoder to execute the operation on the subset of corresponding pairs of data elements. As to argument (1) above, the operands that were operated on were partial width data operand elements as described in the outstanding rejection. Fisher specifically detailed instructions for operating on partial width data operand elements (e.g., see col. 7,line 8-col. 8, line 57 of Fischer). Therefore, Fischer clearly taught a system that included an instruction that operated on partial width packed data (e.g., multiply-add instruction). Consequently, the instruction was a partial width packed data instruction (as detailed in the rejection).

8. As to argument (2) above, the rejection detailed an execution unit as taught by Fischer that performed execution of at least multiply-add instruction on partial width packed data (e.g., see fig. 1 and col. 7, line 8-col. 8, line 57).

Allowable Subject Matter

9. Claims 20-29 and 33-37 allowed.

10. Claims 11-19 and 31-32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Coleman whose telephone number is (703) 305-9674. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Chan can be reached on (703) 305-9712. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.


ERIC COLEMAN
PRIMARY EXAMINER

EC
August 20, 2003